

covering which are partially or completely manufactured in the same establishment as that where the knitting process is performed; and the manufacture of bathing suits from any purchased fabric: *Provided*, That the manufacturing, dyeing or other finishing of gloves, mittens, and hosiery shall not be included.

**§ 522.32 Number or proportion of learners.**

(a) The number of learners which any employer may be authorized to employ by any special certificate issued to meet normal labor turnover needs shall not exceed on any one workday five percent of the total number of productive factory workers in the plant: *Provided*, That, in plants employing less than 100 workers, a maximum of 5 learners may be authorized.

(b) Special certificates may be issued to new or expanding plants authorizing the employment of learners in authorized occupations to the extent of need.

**§ 522.33 Learner occupations.**

Learners may be employed only in the occupations of machine knitter, machine stitcher, presser, winder, dyeing machine operator, brush machine operator, and dryer operator, except that in exceptional cases the employment of learners at a subminimum wage may be authorized in other occupations upon a showing by any individual employer making application for a special certificate that a denial would result in a curtailment of opportunities for employment.

**§ 522.34 Learning periods.**

(a) No worker shall be employed as a learner under the certificate after 480 hours' experience in the occupation of machine knitter, or 320 hours in the occupations of machine stitcher or presser, or 240 hours in the occupations of winder, dyeing machine operator, brush machine operator, or dryer operator.

(b) If a worker who is being trained in any authorized learner occupation has been employed in that same occupation in the knitted wear industry within the previous three years, the hours of such previous employment

shall be deducted from the authorized learning period.

(c) If a worker is employed in the manufacture of men's and boys' underwear from any woven fabric in the occupations of machine stitcher or presser, all hours of employment within the previous three years as a machine stitcher or presser in the apparel industry shall be deducted from the authorized learning period in the event such worker is subsequently employed in the same occupation.

(d) No worker shall be employed as a learner at subminimum rates in more than two of the learner occupations authorized in § 522.33.

[20 FR 2305, Apr. 9, 1955, as amended at 23 FR 5664, July 26, 1958; 26 FR 8284, Sept. 2, 1961]

**§ 522.35 Special minimum wage rates.**

(a) The special minimum rate which may be authorized in special certificates issued in the knitted wear industry shall be not less than \$3.25 an hour through November 2, 1990; not less than \$3.70 an hour through March 31, 1991; and, not less than \$4.15 an hour thereafter.

(b) The earnings of learners employed on a piece rate basis shall be based on those piece rates if in excess of the authorized subminimum rates, in accordance with § 522.6(j).

[20 FR 2305, Apr. 9, 1955, as amended at 43 FR 5817, Feb. 10, 1978; 55 FR 46467, Nov. 2, 1990; 55 FR 47028, Nov. 8, 1990]

HOSIERY INDUSTRY

**§ 522.40 Applicability of general learner regulations.**

The employment of learners pursuant to the provisions of §§ 522.40 to 522.43 shall be subject to all provisions of the general regulations governing the employment of learners (§§ 522.1 to 522.9), except to the extent to which any provision of such general regulations is inconsistent with any provision of §§ 522.40 to 522.43.

[26 FR 9583, Oct. 11, 1961]

**§ 522.41 Applicability of §§ 522.40 to 522.43.**

For purposes of §§ 522.40 to 522.43, the "hosiery industry" is defined as follows: The manufacture or processing of